

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

FILED BY *JE* D.C.  
05 MAY 17 PM 1:14

MEDIPRO S.A.,

Plaintiff,

v.

MEDTRONIC SOFAMOR DANEK, INC.,

Defendant.

Civil Action No. 05-2216 DV

JURY TRIAL DEMANDED

ROBERT J. HUNTO  
CLERK, U.S. DIST. CT.  
W. D. OF TN, MEMPHIS

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SCHEDULING ORDER

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Pursuant to written notice, a scheduling conference was held on May 19, 2005. Present were Thomas R. Dyer, counsel for plaintiff, and Leo M. Bearman, Jr., counsel for defendant. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(1)(1):

14 days after the Rule 16(b) conference: June 2, 2005

JOINING PARTIES: July 15, 2005

AMENDING PLEADINGS: August 18, 2005

INITIAL MOTIONS TO DISMISS: August 18, 2005

COMPLETING ALL FACT DISCOVERY: September 16, 2006

(a) DOCUMENT PRODUCTION: January 18, 2006

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:  
August 18, 2006

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT: October 18, 2006

11

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT: December 18,  
2006

(3) EXPERT WITNESS DEPOSITIONS: February 16, 2007

FILING DISPOSITIVE MOTIONS: March 16, 2007

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the timer permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last 20 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engaged in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed.R.Civ.P. 12, 56, 59, and 60 shall be accompanied by proposed order.


The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a

reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

  
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Diane K. Vescovo  
United States Magistrate Judge  
Date: May 17, 2005

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 11 in case 2:05-CV-02216 was distributed by fax, mail, or direct printing on May 18, 2005 to the parties listed.

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Honorable Bernice Donald  
US DISTRICT COURT